

**HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

WRIT PETITION No.14854 of 2006

Date: 08-03-2007.

Between :

Sugam Agro-Tech Limited, Hyderabad.

.....Petitioner

And

The Development Commissioner, Visakhapatnam Special
Economic Zone, Visakhapatnam & another.

.....Respondents.

**HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

The grievance of the petitioner is that the order impugned was passed without hearing the petitioner or giving them a notice. Counter has been filed and we have heard learned counsel for the parties.

It is an admitted fact that the notice was never served on the petitioner although there is a dispute with regard to the correct address of the petitioner. The petitioner contends that even according to the respondents themselves, the petitioner-Company had ceased to have any business activity from the year 2001, but the notices were purportedly served on the address of the factory. The learned counsel for respondents, however, submits that notices were sent to the address on which the petitioner had been communicating with the respondents and one such letter is dated 08.09.2001,

which was written from an address at Peddapuram in East Godavari District.

The fact of the matter remains that at no point of time the petitioner received any notice whether it was by design of the petitioner or because the notices were sent on wrong address. Therefore, we set aside the order passed by the 1st respondent. The learned counsel for respondents had handed over a copy of the show cause notice to the counsel for petitioner in the open Court itself. The petitioner shall have fifteen days time to file objections/response to the notices and thereafter, the authority concerned may decide the matter in accordance with law.

Writ petition is accordingly allowed.

BILAL NAZKI, J

8th March 2007.

NOOTY RAMAMOHANA

RAO, J

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ajr